

A Meeting of the Nibley City Council, Providence City Council, and Hyrum City Council held at Nibley City Hall, 455 W. 3200 S. Nibley, Utah, on Thursday, February 5, 2015.

The following actions were made during the meeting:

Councilmember Jacobsen motioned that Councilmember Bryan Hansen act as Mayor Pro Tempore for the meeting. Councilmember Beus seconded the motion. The motion passed unanimously 5-0; with Councilmember Jacobsen, Councilmember Beus, Councilmember Whittaker, Councilmember Hansen, and Councilmember Hellstern all in favor.

Councilmember Whittaker motioned to advance Ordinance 15-02: An update to the Nibley City Subdivision ordinance to second reading. Councilmember Hellstern seconded the motion. The motion passed unanimously 5-0; with Councilmember Whittaker, Councilmember Hellstern, Councilmember Hansen, Councilmember Jacobsen, and Councilmember Beus all in favor.

Councilmember Jacobsen motioned to approve Resolution 15-02: A resolution encouraging the State of Utah to address comprehensive transportation funding. Councilmember Whittaker seconded the motion.

Councilmember Whittaker made a motion to amend to include citation information as a footnote for the statistical data included in Resolution 15-02. Councilmember Hellstern seconded the motion. The amendment passed 5-0; with Councilmember Whittaker, Councilmember Hellstern, Councilmember Hansen, Councilmember Jacobsen, and Councilmember Beus all in favor.

Councilmember Jacobsen made a motion to amend to strike, “to provide for future growth” and reword Section 1, Comprehensive Transportation Funding of Resolution 15-02 to read “The City Council supports proposals which meet comprehensive local transportation needs and promote the unified transportation plan.” Councilmember Hansen seconded the motion. The amendment passed unanimously 5-0; with Councilmember Jacobsen, Councilmember Hansen, Councilmember Beus, Councilmember Whittaker, and Councilmember Hellstern all in favor.

Councilmember Jacobsen made a motion to amend Resolution 15-02 to strike “higher MPG” and add “more fuel efficient vehicles”. Councilmember Whittaker seconded the motion. The motion passed unanimously 5-0; with Councilmember Jacobsen, Councilmember Whittaker, Councilmember Hansen, Councilmember Beus, and Councilmember Hellstern all in favor.

The amended motion passed unanimously 5-0; with Councilmember Jacobsen, Councilmember Whittaker, Councilmember Hansen, Councilmember Beus, and Councilmember Hellstern all in favor.

Councilmember Beus motioned to appoint Thomas Bernhardt to the Nibley City Planning and Zoning Commission. Councilmember Hellstern seconded the motion. The motion passed unanimously 5-0; with Councilmember Beus, Councilmember Hellstern, Councilmember Hansen, Councilmember Jacobsen, and Councilmember Whittaker all in favor.

Councilmember Whittaker motioned to approve Ordinance 15-01: An ordinance providing for the compensation of elected and statutory officers of Nibley City with the following changes; Mayor compensation set at \$750/month and City Council compensation set at \$300/month. Councilmember Beus seconded the motion. The motion passed 4-1; with Councilmember Whittaker, Councilmember Hansen, Councilmember Jacobsen, and Councilmember Hellstern in favor. Councilmember Beus was opposed.

OFFICIAL MINUTES OF THE MEETING

Minutes were taken by Assistant City Recorder Cheryl Bodily

Councilmember Jacobsen made a motion that Councilmember Bryan Hansen act as Mayor Pro Tempore for the meeting. Councilmember Beus seconded the motion. The motion passed unanimously 5-0; with Councilmember Jacobsen, Councilmember Beus, Councilmember Whittaker, Councilmember Hansen, and Councilmember Hellstern all in favor.

Call to Order

Mayor Pro Tempore Bryan Hansen called the Thursday, February 5, 2015 Nibley City Council meeting to order at 6:30 p.m. Those in attendance included Mayor Pro Tempore Bryan Hansen, Councilmember Larry Jacobsen, Councilmember Kathryn Beus, Councilmember Amber Whitaker, and Councilmember Ron Hellstern. David Zook, the Nibley City Manager, and Justin Maughn, the Nibley City Public Works Director, were also in attendance.

Approval of agenda; and approval of the January 29, 2015 meeting minutes

Councilmember Jacobsen made a motion to accept minutes from the January 29, 2015 meeting and the evening's agenda as presented. Councilmember Whittaker seconded the motion. The motion passed unanimously 5-0; with Councilmember Jacobsen, Councilmember Whittaker, Councilmember Hansen, Councilmember Beus, and Councilmember Hellstern all in favor.

Mayor Pro Tem Hansen said Mayor Shaun Dustin was expected to join the meeting around 7:00 p.m.

Discussion and consideration of Ordinance 15-02: An update to the Nibley City Subdivision ordinance (First Reading)

Mr. Zook discussed the final modifications that had been added to the ordinance when the City Council last reviewed the document. He said Miss Phippen had also marked a few grammatical corrections to the ordinance that she felt would clarify the language and intent of the ordinance.

He excused Miss Phippen from the meeting, stating that she was out of town.

Mr. Zook said the next time this ordinance was read they would hold a public hearing and the City Council could then propose any modifications. Mr. Zook reviewed the changes that had been made to the ordinance per the City Council's request or due to grammatical changes. The changes included changes to the water requirements for a subdivision, and language from an agreement with the canal company.

Councilmember Hellstern suggested grammatical changes to the following sections; page 3, section 11.1.1.8, page 6, section 11.3.8.B.4, and asked who would conduct an environmental impact analysis under page 8. Mr. Zook informed Councilmember Hellstern that it would normally be a contracted entity. Councilmember Hellstern directed his discussion to page 12, Section D. and asked if the city would encourage low impact development techniques. He suggested they had wording that stated they would encourage this type of development. Councilmember Jacobsen felt if they encouraged that type of development then they would need a reference to what type of development that would be. Mr. Maughn said the term low-impact development was pretty broad. He said it essentially meant implementing measures that would collect storm water and reduce storm runoff. After further discussion, including input from Ross Peterson, the city engineer, the City Council agreed that they were in favor of adding wording suggesting that they encouraged storm water collection measures. Councilmember Hellstern suggested including weeds on "Lot Layout and Design", page 17, section 11.5.7.E. Councilmember Hellstern suggested editing to page 23, B. Repair of Work 1; page 24, D; and page 26, section 11.7.3.

Councilmember Jacobsen said he liked the direction they were allowing with secondary water systems. He discussed allowing sub dividers to use and install secondary water systems and relieving them of their obligation to give water shares to the canal company. He stated that he believed they should still ask developers to give water shares to the city after which they could lease those shares back from the city through the developer or a home owners association (HOA). Councilmember Jacobsen said he would bring an amendment to 11.5.2.B to the next City Council meeting that would still require the developer to provide water shares to the city which could then be leased back to the developer. He didn't want the city to be stuck providing culinary water to a subdivision that thought they would have access to secondary water but whose system was not functioning. Mr. Zook read from an email from Mayor Dustin in which he encouraged requiring secondary irrigation and providing piping and metering for a secondary system. The City Council and Mr. Zook discussed avoiding cross contamination between secondary and culinary water systems. Mr. Zook asked Councilmember Jacobsen to provide the wording of his amendment so that city staff could research the item. Mr. Zook discussed the remainder of Mayor Dustin email which included discussion on a

requirement to build above the water table and finished floor elevations, wording changes to 11.3.8.B.4; 11.4.1.C.6.A; 11.5.4.B.3, and compliance with the transportation master plan.

Mayor Dustin arrived at 7:09.

Councilmember Hellstern asked for clarification on page 10, 11.4.2.C. and if there were limitation on exterior design and structure. Councilmember Jacobsen said they had Nibley City design guidelines for institutional uses but not residential design standards. Councilmember Jacobsen discussed zoning ordinance.

Councilmember Whittaker made a motion to advance Ordinance 15-02: An update to the Nibley City Subdivision ordinance to second reading. Councilmember Hellstern seconded the motion. The motion passed unanimously 5-0; with Councilmember Whittaker, Councilmember Hellstern, Councilmember Hansen, Councilmember Jacobsen, and Councilmember Beus all in favor.

Mayor Pro Tempore Hansen turned the meeting over to Mayor Dustin at 7:14.

Discussion and consideration of Resolution 15-02: A resolution encouraging the State of Utah to address comprehensive transportation funding (Second Reading)

Mayor Dustin read Resolution 15-02 to the City Council and public present.

Councilmember Jacobsen made a motion to approve Resolution 15-02: A resolution encouraging the State of Utah to address comprehensive transportation funding. Councilmember Whittaker seconded the motion.

Councilmember Whittaker asked about the figures related to the statistical data and their origin. She said Mr. Zook had provided the City Council with that information and asked for a way to include that reference into the actual document so that the citation information was applicable and the citizens could see it as well. Councilmember Whittaker suggested they add the link from the Utah League of Cities and Towns into a footnote.

Councilmember Whittaker made a motion to amend to include citation information as a footnote for the statistical data included in Resolution 15-02. Councilmember Hellstern seconded the motion.

Councilmember Jacobsen clarified that the City Council wouldn't actually need to see the documentation.

The amendment passed 5-0; with Councilmember Whittaker, Councilmember Hellstern, Councilmember Hansen, Councilmember Jacobsen, and Councilmember Beus all in favor.

Councilmember Jacobsen discussed “Section 1, Comprehensive Transportation Funding: The City Council supports proposals which meet comprehensive local transportation needs, promote the unified transportation plan, and provide for future growth.” Councilmember Jacobsen said he didn’t feel it was their responsibility to provide for future growth.

Councilmember Jacobsen made a motion to amend to strike, “to provide for future growth” and reword Section 1, Comprehensive Transportation Funding of Resolution 15-02 to read “The City Council supports proposals which meet comprehensive local transportation needs and promote the unified transportation plan.” Councilmember Hansen seconded the motion.

Councilmember Jacobsen discussed the laws that allowed people to develop property and said it wasn’t his goal to provide for future growth of the transportation system. He stated that he felt they planned for future growth and accompany that with a transportation system that achieved what it needed to serve that growth. Mayor Dustin thought the primary impetus was to get the legislature to move on doing something about transportation funding and felt it was appropriate to implement Nibley City’s values and goals. Councilmember Jacobsen agreed that there was a problem said they needed to provide a means to fund and pay for the needs of transportation.

The amendment passed unanimously 5-0; with Councilmember Jacobsen, Councilmember Hansen, Councilmember Beus, Councilmember Whittaker, and Councilmember Hellstern all in favor.

Councilmember Jacobsen made a motion to amend Resolution 15-02 to strike “higher MPG” and add “more fuel efficient vehicles”. Councilmember Whittaker seconded the motion. The motion passed unanimously 5-0; with Councilmember Jacobsen, Councilmember Whittaker, Councilmember Hansen, Councilmember Beus, and Councilmember Hellstern all in favor.

The amended motion passed unanimously 5-0; with Councilmember Jacobsen, Councilmember Whittaker, Councilmember Hansen, Councilmember Beus, and Councilmember Hellstern all in favor.

Status report on General Plan Update

Shannon Elsworth, with the Rural Planning Group, was present at the meeting. Results from the community surveys and community posters were distributed to the City Council. Ms. Elsworth discussed the process that had taken place to date. She said their next steps were to hold public focus groups with experts in each field to guide the process and guide the policies that would be made. Ms. Elsworth summarized the remaining steps to the conclusion of Nibley’s updated General Plan. Councilmember Jacobsen asked for tentative dates. Ms. Elsworth provided the following focus group meeting dates:

2-11-15 at 6:30—Parks and trails

2-19-15 at 5:30—Public services, safety and infrastructure

2-25-15 at 6:30—Transportation
2-25-15 at 7:30—Economic development
3-5-15 at 5:30—Housing

Mayor Dustin discussed the process saying he felt it was somewhat self-selecting in terms of the input and asked how they mitigated or cushioned this in the planning process. Ms. Elsworth discussed the vocal minority and said Nibley's General Plan would reflect best practices and the voice of Nibley. She noted that adoption of the general plan would be turned back to the City Council and they could make any changes they felt didn't reflect Nibley. Mr. Zook discussed that they had sought out residents to participate in focus groups who had shown an affinity for that area in the past.

Councilmember Jacobsen asked what the City Council should be doing during this process. Ms. Elsworth said she felt they could participate in the focus groups or they could wait until it was the City Council's turn to weigh in. She said their greatest responsibility was to use their personal relationships with the community and encourage the 80% to come and participate. Mayor Dustin suggested the City Council show up to the focus groups to listen and not to guide. Mr. Zook agreed with Mayor Dustin's suggestion and said they wanted a free-flow of ideas and reiterated that the City Council would have the final say. Councilmember Hansen requested Ms. Elsworth provide a summary of the information they gathered from each focus group.

Councilmember Whittaker thanked the consultants for the time the Rural Planning Group had put into the General Plan update thus far.

Presentation by Public Works Director regarding water system update

Mr. Zook said he had asked the public works director to make Nibley's well project a priority and asked his opinion of whether Nibley was going in the right direction. Mr. Zook said Mr. Maughn had been researching and gathering data on this for several months and had been asked to give the report of his findings.

Mr. Maughn had a projected presentation he displayed for the City Council and public present. He discussed the steps taken to complete a well and where the city stood in the process with both the 1200 West and 640 West well sites. Mr. Maughn discussed a list of alterations he suggested. Mr. Maughn discussed the pros and cons of the 640 West well and water main followed by similar discussion on the 1200 West well and water main. Mr. Maughn talked through the financing plan if the well construction was done through a phase approach.

Mayor Dustin said the Public Works Department needed to have clear guidance on the City Council priorities and asked if the City Council was amenable to seeing this item on a future agenda. The general consensus was positive. Councilmember Jacobsen asked for more specifics details on the financing plan; where they would get the money and if they could afford to do them. Mayor Dustin discussed the effort that Mr. Maughn had put into this topic and thanked Mr. Maughn for his efforts.

Discussion and consideration of an appointment to the Nibley City Planning and Zoning Commission

Mayor Dustin said they had received a lot of quality applicants for the open Planning & Zoning Commission seat. Mayor Dustin said he wanted to bring Thomas Bernhardt forward to the City Council for consideration on the Planning & Zoning Commission.

Councilmember Beus made a motion to appoint Thomas Bernhardt to the Nibley City Planning and Zoning Commission. Councilmember Hellstern seconded the motion. The motion passed unanimously 5-0; with Councilmember Beus, Councilmember Hellstern, Councilmember Hansen, Councilmember Jacobsen, and Councilmember Whittaker all in favor.

Discussion and consideration of Ordinance 15-01: An ordinance providing for the compensation of elected and statutory officers of Nibley City (Second Reading)

Mayor Dustin said he had forwarded an email to the City Council which included the analysis and justification for the numbers he had proposed for City Council and Mayoral compensation.

Mayor Dustin read Ordinance 15-01 to the City Council and public present.

Councilmember Whittaker made a motion to approve Ordinance 15-01: An ordinance providing for the compensation of elected and statutory officers of Nibley City with the following changes; Mayor compensation set at \$750/month and City Council compensation set at \$300/month. Councilmember Beus seconded the motion.

Councilmember Whittaker said she had contacted 14 of the cities* with a similar population and within Cache Valley. She said the average salary for a Mayor was \$728.24/month and City Council at \$295.23/month and the median from Mayor at \$737.25 and \$300 for the City Council. Councilmember Whittaker then read statistics and figures from the Bureau of Labor Statistics and BLS inflation calculator which she stated she had used to calculate her proposed compensation. Councilmember Hansen asked Councilmember Whittaker if she felt they should tie the compensation to a cost of living index for future city officials. Councilmember Whittaker recommended they make the one time increase change and then in following successive years tie it to the consumer price index (CPI) calculator.

Councilmember Jacobsen clarified that they City Council couldn't codify any automatic amount of increase. Councilmember Jacobsen thanked Councilmember Whittaker for her work.

Councilmember Beus discussed and debated wording on the Ordinance whether their amount of work had increased. She didn't feel the duties had increased and felt it was misleading. Councilmember Beus discussed following the United States Congress and the 27th amendment and voting for an increase that would take effect the following election.

Councilmember Hellstern said that he felt philosophically that no member of government should be allowed to vote for their increase and should only apply to subsequent terms. Councilmember Hellstern voted in favor of the motion.

Councilmember Hansen voted in favor of the motion.
Councilmember Whittaker voted in favor of the motion.
Councilmember Jacobsen voted in favor of the motion.
Councilmember Beus opposed the motion.

The motion passed 4-1; with Councilmember Whittaker, Councilmember Hansen, Councilmember Jacobsen, and Councilmember Hellstern in favor. Councilmember Beus was opposed.

Mayor Dustin said he planned to propose the annual COLA adjustment to Mayoral and City Council compensation in next year's budget so that they could avoid this discussion in the future.

Council & Staff Reports

Councilmember Beus discussed her concern with the timeline for the finalized agenda and receipt of their City Council packets. She and Mayor Dustin debated following the spirit of the law and the letter of the law.

Councilmember Jacobsen suggested the City Council review their resolution of how the City Council did business. Mayor Dustin also requested a copy of the City Council's procedural rules.

Councilmember Whittaker reported on her experiences at the "Meet Your Legislator" Day. She thanked Trudy and Gerald Knight for the support they had given to the Nibley City Youth Council.

Councilmember Hansen asked for the General Plan update survey data to be made public on the Nibley City website.

Councilmember Hellstern reported on the latest Tree Board meeting and the removal of cottonwood trees along 3200 South that were removed for safety reasons.

Mayor Dustin reported on the bridge access to the new high school.

Mayor Dustin reported on waste water and the Waste Water Master Plan.

Councilmember Hellstern requested updated information on the construction and expansion of the intersection at 2600 South. Mr. Maughn said he could send that information to the City Council via email.

Mr. Zook reported on a proposed meeting with the Stokes Nature Center.

Mr. Zook updated the City Council on the acquisition of property to expand Heritage Park.

Mr. Zook reported on Nibley's award amount of an Alternative Transportation Grant and the project that was being proposed for the grant money.

Mr. Zook reported on Nibley agreement with the Blacksmith Fork canal company.

There was general consent to adjourn the meeting at 8:57 p.m.

*

Location	2010 Census Population	Current Monthly Salary	
		Mayor	City Council
Smithfield	9495	\$762.50	\$464.16
N Logan	8269	\$860.00	\$450.00
Tremonton	7647	\$436.73	\$227.90
Hyrum	7609	\$1,000.00	\$400.00
Hooper	7218	\$750.00	\$100.00
Providence	7075	\$500.00	\$333.33
Farr West	5928	\$1,000.00	\$300.00
Harrisville	5567	\$724.50	\$126.00
Plain City	5476	\$700.00	\$250.00
Nibley	5438	\$750.00	\$300.00
W Bountiful	5265	\$1,043.33	\$204.80
Sunset	5122	\$693.34	\$335.39
Fruit Heights	4987	\$750.00	\$425.00
Perry	4512	\$325.00	\$216.67
Hyde Park	3833	\$650.00	\$300.00
Average	6229	\$729.69	\$295.55
Median	5567	\$750.00	\$300.00

Standard Deviation \$195.74 \$106.81

*All confirmed via telephone contact with City Administrators - 2/5/2015

Bureau of Labor Statistics (BLS) at—<http://www.bls.gov/oes/current/oes111031.htm>
 May-13 Annual Mean Wage of Local Legislators Northern Utah (non metropolitan)=
 \$30,250

Divided by 2,080 hrs/year (full-time rate)	\$14.54 (hourly)
City Council	\$290.87 (20hrs)
Mayor	\$727.16 (50hrs)

Annual wages have been calculated by multiplying the hourly mean wage by a "year-round, full-time" hours figure of 2,080 hours.

May-13 Annual Mean Wage of Local Legislators for Logan = \$28,210

Divided by 2,080 hrs/year (full-time rate) \$13.56 (hourly)

City Council \$271.25 (20hrs)

Mayor \$678.13 (50hrs)

Annual wages have been calculated by multiplying the hourly mean wage by a "year-round, full-time" hours figure of 2,080 hours.

BLS CPI Inflation Calculator 2006-2014—<http://data.bls.gov/cgi-bin/cpicalc.pl>

Year	City Council	Mayor
2006	\$300.00	\$600.00
2014	\$352.29	\$704.57 (equivalent spending power)

Therefore, recommendation would be somewhere between the following:

Position	Minimum	Maximum
City Council	\$275.00	\$350.00
Mayor	\$675.00	\$750.00
